



**CALIFORNIA
HIGH-SPEED RAIL
AUTHORITY**

BRIEFING: JULY 8, 2010, BOARD MEETING AGENDA ITEM #8

DATE: July 1, 2010

TO: Chairman Pringle and Authority Board Members

FROM: Roelof van Ark, Chief Executive Officer

RE: Memorandum of Understanding with Burlington Northern Santa Fe [BNSF]

Discussion:

Various meetings have taken place with BNSF as well as other Railroads and Agencies who are active along the various segments of the planned HSR corridor involved. BNSF is both an owner as well as a shared use operator on track owned by others, and is an important partner and contributor to the future success of high speed rail in California.

All parties recognize that much more detail and time is required for all the teams involved to investigate various options. As we move forward with the EIR/EIS process over the next 18th months (including the shared track proposal in the LOSSAN corridor) we would require Preliminary Engineering from BNSF to ensure feasibility of our designs which would include but not be limited to:

- Providing comments to CHSRA provided design drawings to allow BNSF to provide freight service without adverse impact and provide for future growth in its freight operation while also allowing Amtrak/Caltrans to continue to operate and grow.
- Assisting in the design of track, signal, and station improvements for shared use including possible use of CHSRA track by conventional speed passenger trains prior to HS service start.
- Assisting in the development of joint crossings (highway or other) of the BNSF right-of-way.
- Assisting to develop a construction phasing plan to assure continued freight and conventional passenger rail operation.
- Identification of potential capital improvements and possible changes in operating procedures, including cost estimates for the works.

A Preliminary Engineering Agreement [PEA] has been drafted with BNSF for such services, with a Maximum Reimbursement value of \$500,000-00 [five hundred thousand USD] and validity up to December 2011. Work will be committed by specific "Task Orders" as the need arises.

Recommendation:

That the Board authorize the CEO of the Authority to finalize and conclude the PEA with BNSF (consulting with DGS), conditional on non material changes compared to the present draft version.

Attachment:

Draft MOU between BNSF and the Authority